

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Appl. No. : 10/057,532  
Applicant : LYON et al  
Title : Recombinant *P. falciparum*  
merozoite protein-1<sub>42</sub> vaccine  
Filed : January 25, 2002  
Art Unit : 1645  
Examiner : P. Baskar  
Docket No. : 38644-197852  
Customer No. : 26694

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## STATEMENT REGARDING DEPOSIT OF BIOLOGICAL MATERIAL

Sir:

I, Evelina Angov, hereby certify that the biological material deposited in the American Type Culture collection on May 18, 2004, given accession number PTA-5976 is the biological material specifically identified in U.S. patent application no. 10/057,532, filed January 25, 2002.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

24 Aug 04  
Date

Evelina Angov  
Evelina Angov

# ATCC

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## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

#### RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Walter Reed Army Institute of Research  
Attn: Charles E. McQueen, COL, MC\_CDR  
503 Robert Grant Avenue  
Silver Spring, MD 20910-7500

Deposited on Behalf of: Walter Reed Army Institute of Research

Identification Reference by Depositor:

Patent Deposit Designation

Escherichia coli BL 21 (DE3) containing the plasmid pET42AT(NK2)

PTA-5976

The deposit was accompanied by:    a scientific description    a proposed taxonomic description indicated above.

The deposit was received May 18, 2004 by this International Depository Authority and has been accepted.

AT YOUR REQUEST:   X   We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested May 24, 2004. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris  
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: June 26, 2004

cc: Ann S. Hobbs, Ph.D.  
U.S. Patent Application No. 10/057532